

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

Leisa Anne Buschell Monk

Plaintiff,

V.

FILED ENTERED
LOGGED RECEIVED

CIVIL ACTION NO

DEC 21 2010

WDQ10CV3553

Unique Management Services, Inc. AT BALTIMORE
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

DEPUTY

BY
Defendant.

DECEMBER 10, 2010

COMPLAINT

1. Plaintiff seeks relief pursuant to the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692; Md. Ann. Code Commercial Law Maryland Consumer Debt Collection Act. § 14-204 et seq. ("MCDCA"); and the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.
2. The Court's jurisdiction is conferred by 15 U.S.C. 1692k and 28 U.S.C. 1331 and 1367.
3. Plaintiff is a natural person who resides in Baltimore, Maryland.
4. Plaintiff is a consumer within the Fair Debt Collection Practices Act "FDCPA"
5. Defendant is a debt collector within the FDCPA and has a place of business located at 111 East Maple Street, Jeffersonville, IN 47130.
6. Defendant is a collector within the Maryland Consumer Debt Collection Act. "MCDCA"
7. Defendant communicated with Plaintiff on or after one year before

the date of this action, in connection with collection efforts with regard to Plaintiff's disputed personal debt.

8. Plaintiff advised the Defendant on February 19, 2010 that she disputed the debt and asked the Plaintiff to validate this account.

9. Defendant communicated with Plaintiff on February 23, 2010 and verified the alleged debt Plaintiff owed.

10. Defendant advised the Plaintiff that she owed a \$15.00 collection fee, in violation of §1692e (2) (a).

11. Defendant has no authorization for the collection fee charge of \$15.00 and violates §1692f (1).

12. Based upon information and belief, Defendant failed to report a known disputed debt to the Credit Reporting Agencies, despite being notified by the Plaintiff of her dispute in violation of §1692e (8).

13. Defendant has inadequate procedures in place to avoid such error.

14. In the collection efforts, the Defendant violated the FDCPA; inter alia, section 1692e and f.

SECOND COUNT

15. The allegations of the First Count are repeated and realleged as if fully set forth herein.

17. Within three years prior to the date of this action Defendant collection agency has engaged in acts and practices as to plaintiff in violation of the Md. Ann.

Code Commercial Law Maryland Consumer Debt Collection Act § 14-204 et seq. (“MCDCA”); including collecting an unauthorized amount of \$15.00 as a collection fee and also charged Plaintiff \$12.00 in processing fees.

18. Defendant a licensed collection agency has committed unfair or deceptive acts or practices within the meaning of the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.

WHEREFORE plaintiff respectfully requests this Court to:

1. Award Plaintiff statutory damages pursuant to the Fair Debt Collection Practices Act 15 U.S.C. §1692 et seq.;
2. Award Plaintiff Statutory damages pursuant to Maryland Consumer Debt Collection Act § 14-204 et seq.;
3. Award Plaintiff statutory damages pursuant to the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.;
4. Award the Plaintiff costs of suit and a reasonable attorney's fee;
5. Award and such other and further relief as this Court may provide.

THE PLAINTIFF

BY 

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